UNITED STATES PATENT AND TRADEMARK OFFICE

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FRENEL, VANEL

ART UNIT	PAPER NUMBER
3626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 December 2000_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-43_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-43_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the application filed 12/12/00. Claims 1-43

are pending.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 32, 35 and 40 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

(1) whether the invention is within the technological arts; and

(2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the

technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural

phenomena) that do not apply, involve, use, or advance the technological arts fail to

promote the "progress of science and the useful arts" (i.e., the physical sciences as

opposed to social sciences, for example) and therefore are found to be non-statutory

subject matter. For a process claim to pass muster, the recited process must somehow

apply, involve, use, or advance the technological arts.

In the present case, claims 32 and 35 recite "a method for determining if an

employee is entitled to leave under the Family Medical Leave Act (FMLA)" but does not

utilize any technological device (e., a computer or automated processor) in performing the various steps of "processing".

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble.

In the present case, claim 40 recites "a computer-readable medium" in its preamble but does not recite any technological device in the body of the claim in performing the various steps of "processing" within the computer system.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process.

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

In the present case, claims 32, 35 and 40 as a whole are directed to a method for determining if an employee is entitled to leave under FMLA, preferably by a computer system. As such, this invention produces an useful, concrete, and tangible results as either approves or disapproves an FMLA claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grimse et al (6,269,355) in view of Computer-guided FMLA administration by Gary Meyer, May 1997).

(A) As per claim 1, Grimse discloses a method for processing and tracking requests for leave under the Family Medical Leave Act (FMLA) (Col.9, lines 23-38) using a system configured with at least one server which includes an employee FMLA database, the system including at least one client system networked to the servers (Col.4, lines 29-67), said method comprising the steps of:

uploading an initial FMLA leave request form (Col.11, line 1-62);

downloading a conditional approval to the employee (Col.10, lines 58-67 to Col.11, line 38).

Grimse does not explicitly disclose downloading the conditional approval and a medical certification form to a medical provider; uploading a completed medical certification form for storage in the FMLA database; checking the completed medical provider form for a recommendation form a medical care provider; and downloading a final approval or disapproval to the employee.

However, these features are known as evidenced by Gary. In particular, Gary suggests downloading the conditional approval and a medical certification form to a

medical provider (See Gary, Page 2, Paragraphs 2-7); uploading a completed medical

certification form for storage in the FMLA database (See Gary, Page 2, Paragraphs 2-

7); checking the completed medical provider form for a recommendation form a medical

care provider; and downloading a final approval or disapproval to the employee (See

Gary, Page 2, Paragraphs 2-7).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Gary within the system of Grimse with the

motivation of providing program which is an inexpensive tool that helps HR save time in

handling FMLA business, while minimizing the potential for the legal problems (See

Gary, Page 1, Paragraph 9).

(B)   As per claim 2, Gary discloses a method further comprising the step of tracking

employee leaves, leave requests, and leave time remaining for employees under the

FMLA (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(C)   As per claim 3, Gary discloses a method wherein said step of uploading

an initial FMLA leave request form further comprises the step of uploading employee

personal data and employee company data (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(D)   As per claim 4, Gary discloses a method wherein said step of uploading

an initial FMLA leave request form further comprises the step of uploading a reason

for the requested medical leave (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(E)   As per claim 5, Gary discloses a method wherein said step of uploading

an initial FMLA leave request form further comprises the step of uploading a type of

medical leave requested (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(F)   As per claim 6, Gary discloses a method wherein said step of uploading

an initial FMLA leave request form further comprises the step of completing the form

on the requesting employees behalf (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(G)   As per claim 7, Gary discloses a method wherein said step of uploading

a completed medical certification form further comprises the step of uploading a

reason for the requested medical leave (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claim 1, and incorporated herein.

(H)   As per claim 8, Gary discloses a method wherein said step of uploading a reason for the requested medical leave further comprises the step of uploading a type of medical leave deemed appropriate by a medical care provider (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claim 1, and incorporated herein.

(I)   As per claim 9, Gary discloses a method wherein said step of uploading a completed medical certification form further comprises the step of uploading medical care provider recommended dates and times for a leave (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claim 1, and incorporated herein.

(J)   As per claim 10, Gray discloses a method wherein said step of uploading a completed medical certification form further comprises the step of uploading a signature stamp of a medical care provider (See Gary, Page 2, Paragraphs 2-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claim 1, and incorporated herein.

(K)   As per claim 11, Gary discloses a method wherein said step of uploading

an initial FMLA leave request form further comprises the step of accepting FMLA

leave request information over a telephone by at least one of a voice responsive

system where a user enters spoken FMLA information and a menu system where a

user enters requested FMLA information using the touch keys of a telephone (Col.).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claim 1, and incorporated herein.

(L)   As per claim 12, Grimse discloses a method wherein said step of uploading

a completed medical certification form further comprises the step of accepting FMLA

information over a telephone by at least one of a voice responsive system where a

medical care provider enters spoken FMLA recommendation information and a menu

system where a medical care provider enters an FMLA recommendation using the

touch keys of a telephone (Col.9, lines 23-67 to Col.10, line 57).

(M)   As per claim 13, Grimse discloses a system for facilitating processing and

tracking of requests under the Family Medical Leave Act (FMLA), said system

comprising: at least one computer; at least one server further comprising:

an employee FMLA request database (Col.4, lines 29-67 to Col.5, line 67; Col.9, lines

23-67 to Col.10, line 67), a network connecting said servers to said computers (Col.4,

lines 41-62); and a user interface allowing a requester to download said forms and input

data relating to a request for a leave under the FMLA (Col.4, lines 41-62).

Grimse does not explicitly disclose a plurality of FMLA forms designed to accept

data relating to a request for a leave under the FMLA.

However, this feature is known in the art, as evidenced by Gary. In particular,

Gary suggests a plurality of FMLA forms designed to accept data relating to a request

for a leave under the FMLA (See Gary, Page 2, Paragraph 4; Page 3, Paragraph 4).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Gary within the system of Grimse with the

motivation of providing program which is an inexpensive tool that helps HR save time in

handling FMLA business, while minimizing the potential for the legal problems (See

Gary, Page 1, Paragraph 9).

(N)   As per claim 14, Grimse discloses a system wherein said servers and said

computers are configured to allow the requester to submit the leave request via the

Internet (Col.4, lines 41-67).

(O)   As per claim 15, Grimse discloses a system wherein said severs and said

computers are configured to allow the requester to submit the leave request via an

Intranet (Col.4, lines 41-67).

(P)   As per claim 16, Grimse discloses a system wherein said network is one of

a wide area network and a local area network (Col.4, lines 41-67).

(Q)   As per claim 17, Gary discloses a system wherein at least one of said

servers is further configured to track employee leaves, leave requests, and leave time

remaining for employees under the FMLA (Page 2, Paragraphs 3-7).

       The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1and 13, and incorporated herein.

(R)   As per claim 18, Gary discloses a system at least one of said

servers is further configured to upload and store in said database employee leave

requests (Page 2, Paragraphs 3-7).

       The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1and 13, and incorporated herein.

(S)   As per claim 19, Gary discloses a system wherein at least one of said

servers is further configured to upload and store employee personal data and

employee company data (Page 2, Paragraphs 3-7).

       The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1 and 13, and incorporated herein.

(T)   As per claim 20, Gary discloses a system wherein at least one of said

servers is further configured to upload and store a reason for the requested medical

leave (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(U)   As per claim 21, Gary discloses a system wherein at least one of said servers is further configured to upload and store a type of medical leave requested (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(V)   As per claim 22, Gary discloses a system wherein at least one of said servers is further configured to allow a third person to upload a leave request form on the requesting employees behalf (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(W)   As per claim 23, Gary discloses a system wherein at least one of said servers is further configured to upload a completed medical certification form (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(X)   As per claim 24, Gary discloses a system wherein at least one of said

servers is further configured to upload a reason for the requested medical leave (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1and 13, and incorporated herein.

(Y)   As per claim 25, Gary discloses a system according to Claim 24 wherein at least one of said servers is further configured to upload a type of medical leave deemed appropriate by a medical care provider (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(Z)   As per claim 26, Gary discloses a system wherein at least one of said servers is further configured to upload medical care provider recommended dates and times for a leave (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(AA)   As per claim 27, Gary discloses a system wherein at least one of said servers is further configured to upload a signature stamp of a medical care provider (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1 and 13, and incorporated herein.

(BB)   As per claim 28, Gary discloses a system wherein at least one of said

servers is configured to download a medical certification form to a named medical

care provider (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1 and 13, and incorporated herein.

(CC)   As per claim 29, Gary discloses a system wherein at least one of said

servers is configured to send to an employee at least one of a conditional approval and

a medical certification form to an employee requesting leave (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1 and 13, and incorporated herein.

(DD)   As per claim 30, Gary discloses a system wherein at least one of said

servers is configured to accept FMLA leave request information over a telephone by

at least one of a voice responsive system where a user enters spoken FMLA

information and a menu system where a user enters requested FMLA information

using the touch keys of a telephone (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1 and 13, and incorporated herein.

(EE)   As per claim 31, Grimse discloses a system wherein at least one of said

servers is configured to accept FMLA information over a telephone by at least one of

a voice responsive system where a medical care provider enters spoken FMLA

recommendation information and a menu system where a medical care provider enters

an FMLA recommendation using the touch keys of a telephone (Col.9, lines 23-67 to

Col.10, line 57).

(FF)   As per claim 32, Grimse discloses a method for determining if an employee is

entitled to leave under the Family Medical Leave Act (FMLA) (Col.9, lines 23-45).

Grimse does not explicitly disclose said method comprising the steps of:

forwarding a conditional approval and a medical certification form to the employee upon

receipt of the completed medical provider form, reviewing the form for a

recommendation from a medical care provider; and forwarding a final approval or

disapproval to the employee.

However, these features are known in the art, as evidenced by Gary. In

particular, Gary suggests the steps of: forwarding a conditional approval and a medical

certification form to the employee upon receipt of the completed medical provider form,

reviewing the form for a recommendation from a medical care provider; and forwarding

a final approval or disapproval to the employee (See Gary, Page 2, Paragraphs 2-7).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Gary within the system of Grimse with the

motivation of providing program which is an inexpensive tool that helps HR save time in

handling FMLA business, while minimizing the potential for the legal problems (See

Gary, Page 1, Paragraph 9).

(GG)   As per claim 33, Gary discloses a method wherein said step of

forwarding a conditional approval to the employee further comprises the step of

tracking employee leaves, leave requests and verifying the employee has remaining

FMLA leave time (Page 2, Paragraphs 3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13 and 32, and incorporated herein.

(HH)   As per claim 34, Gary discloses a method further comprising the step of

forwarding the medical certification form to a medical care provider (Page 2, Paragraphs

3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, and 32, and incorporated herein.

(II)   As per claim 35, Grimse discloses a method for requesting leave from an

employer under the Family Medical Leave Act (FMLA) (Col.9, lines 23-45).

Grimse does not explicitly disclose said method comprising the steps of:

submitting an initial FMLA leave request form with the employer; providing a medical

certification form to a medical care provider; and reviewing a final approval or

disapproval from the employer.

However, these features are known in the art, as evidenced by Gary. In

particular, Gary suggests the steps of: submitting an initial FMLA leave request form

with the employer; providing a medical certification form to a medical care provider; and reviewing a final approval or disapproval from the employer (See Gary, Page 2, Paragraphs 2-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Gary within the system of Grimse with the motivation of providing program which is an inexpensive tool that helps HR save time in handling FMLA business, while minimizing the potential for the legal problems (See Gary, Page 1, Paragraph 9).

(JJ)   As per claim 36, Grimse discloses apparatus for processing and tracking of requests under the Family Medical Leave Act (FMLA) (Col.9, lines 23-47), comprising: means for storing a plurality of FMLA forms (Col.5, lines 7-20).

Grimse does not explicitly disclose means for allowing a requester to download said forms and input data relating to a request for a leave under the FMLA; and means for storing employee FMLA requests.

However, this feature is known in the art, as evidenced by Gary. In particular, Gary suggests means for allowing a requester to download said forms and input data relating to a request for a leave under the FMLA; and means for storing employee FMLA requests (See Gary, Page 2, Paragraphs 7-12 to Page 3, Paragraph 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Gary within the system of Grimse with the motivation of providing program which is an inexpensive tool that helps HR save time in

handling FMLA business, while minimizing the potential for the legal problems (See

Gary, Page 1, Paragraph 9).

(KK)   As per claim 37, Gary discloses apparatus wherein said means for

storing a plurality of FMLA forms and said means for storing employee FMLA

requests comprises at least one server (Page 3, Paragraph 5).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, 32, 35 and 36, and incorporated

herein.

(LL)   As per claim 38, Gary discloses apparatus wherein said servers is further

configured to track employee leaves, leave requests, and leave time remaining for

employees under the FMLA (Page 2, Paragraph 3).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, 32, 35 and 36, and incorporated

herein.

(MM) As per claim 39, Gary discloses apparatus further comprising a network

coupled to said FMLA forms storing means, said employee FMLA request storing

means (Page 3, Paragraphs 4-5), and said means for allowing a request to download

said forms and input data (Page 2, Paragraphs 12 to Page 3 through Paragraph 5).

The motivation for combining the respective teachings of Grimse and Gary are as discussed above in the rejection of claims 1, 13, 32, 35 and 36, and incorporated herein.

(NN) As per claim 40, Grimse discloses a computer readable medium (Col.4, lines 41-47).

Grimse does not explicitly disclose a plurality of FMLA forms; a record of employee FMLA requests; and a record of whether said employee FMLA requests have been approved or denied.

However, these features are known in the art, as evidenced by Gary. In particular, Gary suggests a plurality of FMLA forms (Page 2, Paragraph 7); a record of employee FMLA requests (Page 2, Paragraph 7); and a record of whether said employee FMLA requests have been approved or denied See Gary, Page 2, Paragraphs 2-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Gary within the system of Grimse with the motivation of providing program which is an inexpensive tool that helps HR save time in handling FMLA business, while minimizing the potential for the legal problems (See Gary, Page 1, Paragraph 9).

(OO) As per claim 41, Gary discloses a computer readable medium further

comprising employee personal data and employee company data (Page 2, Paragraphs

3-7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, 32, 35, 36 and 40, and incorporated

herein.

(PP)   As per claim 42, Gary discloses a computer readable medium further

comprising a record of a reason for the requested medical leave (Page 2, Paragraph 7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, 32, 35 and 36 and 40, and

incorporated herein.

(QQ)   As per claim 43, Gary discloses a computer readable medium further comprising

a record of completed medical certification forms (Page 2, Paragraph 7).

The motivation for combining the respective teachings of Grimse and Gary are as

discussed above in the rejection of claims 1, 13, 32, 35 and 36 and 40, and

incorporated herein.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not applied art teaches method and system for

remotely managing business and employee administration functions (2002/0022982),

absence-Mgr.com Upgraded to Account for Family Medical Leave Act Requirements,

Web-Based Tool Helps Employers to Better Manage Employee Absences (Business

Editors. Business Wire. New York: Feb 16, 2000 by Kweller, Deborah) and FMLA

Tracker saves time, simplifies record keeping (Meade, Jim. HR Magazine. Alexandria:

Mar 1996. Vol.41, Iss.3 ; pg 132, 3 pgs).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952.

The examiner can normally be reached on Monday-Thursday from 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Business Center (EBC) at 866-217-9197 (toll-free).

V.F
V.F

JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

August 18, 2004